



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 22 2016

OFFICE OF WATER

The Honorable David Vitter
United States Senate
Washington, D.C. 20510

Dear Senator Vitter:

Thank you for your February 4, 2016, letter to Environmental Protection Agency Administrator Gina McCarthy, regarding the drinking water crisis in Flint, Michigan. The Administrator asked that I respond on her behalf. As part of the broader federal response effort, the EPA is intensely engaged in addressing ongoing threats to public health in Flint, in coordination with the city of Flint and the state of Michigan.

Your letter seeks information about when Administrator McCarthy became aware of the drinking water situation in Flint. As you know, Flint encountered a series of water quality problems following the switch from Detroit water in April, 2014. Regional Administrator Susan Hedman provided the Administrator with her first substantive read out concerning the evolving lead contamination crisis in Flint on or about September 26, 2015 – which included, among other relevant details, background on Miguel Del Toral's June 24, 2015, interim report, as well as the recently released data on blood lead levels. On the same day, senior staff from EPA headquarters convened a meeting to ensure that all relevant offices, including the Office of Water, were briefed. In addition, on or about September 13, 2015, the Office of Research and Development (ORD), in a written weekly update discussing activities across the office, communicated that ORD experts were participating on a technical committee to evaluate and optimize Flint's drinking water system. Miguel del Toral's June 24 memo was mentioned in this September 13 update, but not discussed in detail. Former Regional Administrator Susan Hedman was not cc'd on this update.

Your letter also asks for certain communications related to these briefings. Attached with this letter is an initial set of responsive documents.

Please note that portions of your request examine internal deliberations of an Executive Branch agency, the EPA, and, as such, raise a confidentiality interest. In order to identify specific documents in which the EPA has a confidentiality interest, we have added a watermark to these documents that reads "Internal Deliberative Document of the U.S. Environmental Protection Agency; Disclosure Authorized Only to Congress for Oversight Purposes." Through this accommodation, the EPA does not waive any confidentiality interests in these documents or similar documents in other circumstances. The EPA respectfully requests that you and your staff protect the documents and the information contained in them from further dissemination. Should you determine that further distribution of this confidential information is required, we request

that his need first be discussed with the agency to help ensure the Executive Branch's confidentiality interests are protected to the fullest extent possible.

You will also notice that some of the documents contain redactions of personal privacy information. We redacted this information in a manner that does not obscure the identity of any EPA employees involved in the relevant communications. The personal privacy redactions are generally labeled as "Ex. 6 – Personal Privacy" only because these documents were collected in the context of a previous FOIA request; while preparing these documents for delivery to you today, we took off all other FOIA redactions.

The EPA recognizes the importance of your need to obtain information, and is committed to working with your staff on how best to accommodate your interest in these documents. We anticipate providing additional responsive documents on a rolling basis.

Again, thank you for your letter. If you have any other questions, you may contact me or your staff may contact Kyle Aarons in the EPA's Office of Congressional and Intergovernmental Relations at aarons.kyle@epa.gov or (202) 564-7351.

Sincerely,

A handwritten signature in black ink, reading "Joel Beauvais". The signature is fluid and cursive, with the first name "Joel" and last name "Beauvais" clearly distinguishable.

Joel Beauvais
Deputy Assistant Administrator

Enclosures